

MEMORANDUM

DATE: June 18, 2007

TO: All Members of the Delaware State Senate
and House of Representatives

FROM: Ms. Daniese McMullin-Powell
Chairperson
State Council for Persons with Disabilities

RE: S.B. 112 [Public Health Emergencies]

The State Council for Persons with Disabilities (SCPD) has reviewed S.B. 112 which would amend Title 20 Del.C. §3133 by authorizing the “public health authority” [defined in §3132(10)] to direct the delivery of pre-packaged medical prescriptions and supplies during an emergency. Such delivery could be effected by licensed healthcare professionals and unlicensed persons who have completed in-service training by the Board of Pharmacy acting at the direction of the Public Health Authority irrespective of health care licensing restrictions. Recipients of such delivery would be limited to “essential workers” [defined at lines 10-14] and their families [line 22]. Essential workers and family members would be pre-screened annually for contraindications to medications [lines 27-28].

All in all, the concept underlying the legislation appears sound. During an emergency, first responders and other “essential workers” would benefit from authority to distribute medications and supplies without fear of violating licensing standards. SCPDs only recommendation is to expand the scope of recipients of medical supplies and prescriptions. For example, the bill could be amended to authorize the Public Health Authority to expand the scope of recipients based on a determination of compelling need or exigent circumstances. This could be achieved by adding a Subsection (e) as follows:

(e) The Public Health Authority is authorized to expand the scope of recipients beyond essential workers and their families based on a determination of compelling need or exigent circumstances. In exercising this option, the Public Health Authority may limit delivery to certain medications and medical supplies.

Thank you for your consideration and please contact SCPD if you have any questions regarding our position on the proposed legislation.

cc: The Honorable Ruth Ann Minner
 Governor's Advisory Council for Exceptional Citizens
 Developmental Disabilities Council

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